

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
GIUSEPPE TRUPIA,

Plaintiff,

-against-

JO ANNE B. BARNHART,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
-----X

JUDGMENT  
05-CV- 6085 (SJF)

**FILED**  
IN CLERKS OFFICE  
U.S. DISTRICT COURT ED. N.Y.  
★ AUG 22 2006 ★

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

An Order of Honorable Sandra J. Feuerstein, United States District Judge, having been filed on August 11, 2006, reversing the final decision of the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g); remanding the action to the Commissioner of Social Security for a de novo hearing before an Administrative Law Judge; and directing that upon remand, the Administrative Law Judge will apply the treating source regulation at 20 C.F.R. § 404.1527 (d); it is

ORDERED and ADJUDGED that the final decision of the Commissioner is reversed pursuant to the fourth sentence of 42 U.S.C. § 405(g); that the action is remanded to the Commissioner of Social Security for a de novo hearing before an Administrative Law Judge; and that upon remand, the Administrative Law Judge will apply the treating source regulation at 20 C.F.R. § 404.1527 (d).

Dated: Brooklyn, New York  
August 18, 2006

(S)  
\_\_\_\_\_  
ROBERT C. HEINEMANN  
Clerk of Court